

REMARKS

Reconsideration and allowance of this application are respectfully requested in light of the above amendments and the following remarks.

Support for the amendments to claims 1-6, 8, 9, 12-17, 19, and 20 is provided for example in the specification on page 8, line 10, through page 9, line 16. (It should be noted that references herein to the specification and drawings are for illustrative purposes only and are not intended to limit the scope of the invention to the referenced embodiments.) The amendments were not presented earlier due to the unforeseeability of the remarks presented in the Final Rejection.

Claims 1-7, 9-18, 20, and 21 were rejected, under 35 USC §102(e), as being anticipated by Haberman et al. (US 2005/0113115). Dependent claims 8 and 19 were rejected, under 35 USC §103(a), as being unpatentable over Haberman. To the extent these rejections may be deemed applicable to the amended claims presented herein, the Applicants respectfully traverse based on the points set forth below.

Claim 1 now defines a terminal apparatus that determines and displays the priority of received distribution data based on cell information within the distribution data that identifies a cell and information regarding the area to which the terminal apparatus belongs. The claimed terminal apparatus obviates any need to perform any measurement of location information based on for example GPS data. The claimed terminal apparatus thus advantageously provides for a data sort section that, based on cell information contained in distribution data received in the receiving section, and information of an area to which the terminal apparatus belongs, determines a priority of said distribution data, and arranges said distribution data in order starting with

distribution data for which said priority is highest, while avoiding the need for the terminal apparatus itself to do any measurement of location information such as GPS data, so that desired information may be found more quickly and efficiently (see specification page 4, lines 22-25).

On the other hand, Haberman discloses the use of wireless transmitters that associate GPS data and information data and transmit these data (see Haberman Fig. 23). Haberman thus discloses a terminal that needs to measure and evaluate GPS data and then select the information data to receive according to the GPS data measurement.

By contrast with this, the Applicants' claimed terminal apparatus receives distribution data containing cell information for identifying a cell and information about the area to which the subject terminal apparatus belongs, without the necessity of the terminal apparatus performing measurement of location information, such as GPS data. That is, the present claimed invention displays distribution data based on cell information that is acquired and information about the area to which the subject terminal apparatus belongs, but does not need to perform any measurement of location information based on, for example, GPS data.

Accordingly, due to at least the above-noted distinctions, the Applicants respectfully submit that Haberman does not anticipate the subject matter now defined by claim 1.

Independent claim 12 now similarly recites the above-mentioned subject matter distinguishing apparatus claim 1 from Haberman, but with respect to a method. It is submitted that claim 12 is allowable over the disclosure of Haberman for similar reasons that claim 1 is allowable thereover.

Therefore, it is respectfully submitted that the rejections applied to claims 8 and 19 are obviated, and allowance of claims 1 and 12 and all claims dependent therefrom is considered to be warranted.

In view of the above, it is submitted that this application is in condition for allowance, and a notice to that effect is respectfully solicited.

If any issues remain which may best be resolved through a telephone communication, the Examiner is requested to telephone the undersigned at the local Washington, D.C. telephone number listed below.

Respectfully submitted,

/James Edward Ledbetter/

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JEL/DWW/att

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